

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Pensions and Labor, to which was referred House Bill No. 1652, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 22-4-18.1-5 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The council
5 shall be comprised of the following members:
6 (1) The directors of the various state agencies, including the state
7 superintendent of public instruction with regard to the department
8 of education or the state superintendent's designee, directed to
9 administer the applicable federal programs who shall serve as ex
10 officio members of the council.
11 (2) Not more than thirty (30) members appointed by the governor
12 according to the following guidelines:
13 (A) Not more than ten (10) members if thirty (30) members
14 are appointed under this subdivision (or one-third (1/3) of the
15 appointed members under this subdivision if less than thirty
16 (30) members are appointed) who represent business and
17 industry, including individuals who represent business and
18 industry on private industry councils in Indiana.

(B) Not more than ten (10) members if thirty (30) members are appointed under this subdivision (or one-third (1/3) of the appointed members under this subdivision if less than thirty (30) members are appointed) who represent labor; special populations; and community-based organizations (with a majority of the members described in this clause as representing labor):

(C) Not more than ten (10) members if thirty (30) members are appointed under this subdivision (or one-third (1/3) of the appointed members under this subdivision if less than thirty (30) members are appointed) who represent education and government:

(1) The governor.

(2) Two (2) members of the senate, appointed by the president pro tempore of the senate. The members appointed under this subdivision may not be members of the same political party.

(3) Two (2) members of the house of representatives, appointed by the speaker of the house of representatives. The members appointed under this subdivision may not be members of the same political party.

(4) The following members appointed by the governor:

(A) Representatives of business in Indiana who:

(i) are owners of businesses, chief executives or operating officers of businesses, and other business executives or employers with optimum policy making or hiring authority, including members of regional boards under IC 22-4.5-3-3(b)(1)(A) (as described in Section 117(b)(2)(A)(i) of the Workforce Investment Act of 1998);

(ii) represent businesses with employment opportunities that reflect the employment opportunities of Indiana; and

(iii) are appointed from among individuals nominated by state business organizations and business trade associations.

(B) Chief elected officials representing municipalities and counties.

(C) Representatives of labor organizations who have been

- 1 nominated by Indiana labor federations.
- 2 **(D) Representatives of individuals and organizations that**
- 3 **have experience with respect to youth activities.**
- 4 **(E) Representatives of individuals and organizations that**
- 5 **have experience and expertise in the delivery of workforce**
- 6 **investment activities, including chief executive officers of**
- 7 **any community colleges established in Indiana and**
- 8 **community-based organizations in Indiana.**
- 9 **(F) Lead state officials with responsibility for the**
- 10 **programs, services, and activities described in Section**
- 11 **121(b) of the Workforce Investment Act of 1998 and**
- 12 **carried out by one stop partners or, if there is no lead state**
- 13 **official with responsibility for such a program, service, or**
- 14 **activity, a person with expertise relating to the program,**
- 15 **service, or activity.**
- 16 **(G) Other representatives and state officials designated by**
- 17 **the governor.**

18 (b) The governor shall appoint ~~the~~ as chairman of the council ~~from~~

19 ~~within the council's membership: a member described in subsection~~

20 **(a)(4)(A).**

21 (c) A majority of the members of the council must be members

22 **described in subsection (a)(4)(A).**

23 (d) Members of the council that represent organizations,

24 agencies, or other entities shall be individuals with optimum policy

25 making authority within the organizations, agencies, or entities.

26 **The members of the council must represent diverse regions of**

27 **Indiana, including urban, rural, and suburban areas."**

28 Page 2, line 3, delete "second or third class city" and insert

29 **"municipality".**

30 Page 2, line 6, delete "city" and insert **"municipality"**.

31 Page 2, line 7, after "(5,000);" insert **"or"**.

32 Page 2, delete lines 8 through 13, begin a new line block indented

33 and insert:

34 **"(2) if there is more than one (1) municipality that has a**

35 **population of at least five thousand (5,000) located in a**

36 **workforce investment area, the executive of one (1) of the**

37 **municipalities designated by an agreement between the**

38 **municipalities to carry out the responsibilities of the chief**

1 **elected official under the Workforce Investment Act of 1998."**

2 Page 2, delete lines 20 through 21, begin a new paragraph and
3 insert:

4 **"Sec. 5. "Municipality" has the meaning set forth in**
5 **IC 36-1-2-11."**

6 Page 3, delete lines 2 through 3.

7 Page 3, line 6, delete "recommend to the governor" and insert
8 **"develop"**.

9 Page 3, line 15, delete "An" and insert **"A"**.

10 Page 3, line 16, delete "initial".

11 Page 3, line 17, delete "If a designated workforce".

12 Page 3, delete lines 18 through 22.

13 Page 3, delete lines 40 through 41, begin a new line block indented
14 and insert:

15 **"(2) ensure that the workforce partnership areas and**
16 **school-to-work regions are consistent with the joint plan**
17 **regions."**

18 Page 3, line 42, after "Sec. 3." insert **"(a)"**.

19 Page 4, delete lines 2 through 42, begin a new paragraph and insert:

20 **"(b) The governor, in partnership with the state board, shall**
21 **establish criteria for use by chief elected officials in the workforce**
22 **investment areas for appointment of members of the regional**
23 **boards. The criteria must provide at least the following:**

24 **(1) The membership of each regional board must include the**
25 **following:**

26 **(A) Representatives of business in the workforce**
27 **investment area who:**

28 **(i) are owners of businesses, chief executives or operating**
29 **officers of businesses, and other business executives or**
30 **employers with optimum policy making or hiring**
31 **authority;**

32 **(ii) represent businesses with employment opportunities**
33 **that reflect the employment opportunities of the**
34 **workforce investment area; and**

35 **(iii) are appointed from among individuals nominated by**
36 **local business organizations and business trade**
37 **associations.**

38 **(B) Representatives of local educational entities, including**

representatives of local educational agencies, local school boards, entities providing adult education and literary activities, and postsecondary educational institutions (including representatives of community colleges, if any are established). Members described in this clause must be selected from among individuals nominated by regional or local educational agencies, institutions, or organizations representing local educational entities.

(C) Representatives of labor organizations (for a workforce investment area in which employees are represented by labor organizations) who have been nominated by local labor federations. If no employees in the workforce investment area are represented by labor organizations, members selected under this clause must be representatives of employees.

(D) Representatives of community-based organizations, including organizations representing individuals with disabilities and veterans, for a local area in which such organizations are present.

(E) Representatives of economic development agencies, including private sector economic development entities.

(F) Representatives of each of the one stop partners.

(2) The membership of each regional board may also include any other individuals or representatives of entities that the chief elected official in the workforce investment area determines to be appropriate.

(c) Members of a regional board that represent organizations, agencies, or other entities must be individuals with optimum policy making authority within the organizations, agencies, or entities.

(d) A majority of the members of each regional board must be members described in subsection (b)(1)(A).

(e) Each regional board shall elect a chairperson for the regional board from among the members described in subsection (b)(1)(A).

Sec. 4. The department may allow a regional board established under this chapter to designate the regional school-to-work partnership as the youth council required under 20 U.S.C. 9201."

Page 5, delete lines 1 through 9.

1 Page 5, delete line 36, begin a new line block indented and insert:

2 **"(1) Youth, adult, and dislocated worker services, and the Job**
 3 **Corps under Title I of the Workforce Investment Act."**

4 Page 6, delete lines 16 through 42, begin a new paragraph and
 5 insert:

6 **"Sec. 3. Optional one stop partners in the one stop system**
 7 **include the entities that administer the following workforce**
 8 **investment programs:**

9 (1) Part A of Title IV of the Social Security Act (42 U.S.C. 601
 10 et seq.).

11 (2) Section 6(d)(4) of the Food Stamp Act of 1977 (7 U.S.C.
 12 2015(d)(4)).

13 (3) Work programs authorized under section 6(o) of the Food
 14 Stamp Act of 1977 (7 U.S.C. 2015(o)).

15 (4) National and Community Service Act of 1990 (42 U.S.C.
 16 12501 et seq.).

17 (5) Secondary vocational education activities authorized
 18 under the Carl D. Perkins Vocational and Applied Technology
 19 Education Act (20 U.S.C. 2301 et seq.).

20 (6) School-to-work activities and programs carried out under
 21 a federal grant administered by the Department of Workforce
 22 Development.

23 (7) The twenty-first century scholars program under
 24 IC 20-12-70."

25 Page 7, delete lines 1 through 5.

26 Page 7, delete lines 17 through 27, begin a new paragraph and
 27 insert:

28 **"Sec. 3. Unless designated as the fiscal agent by the chief elected**
 29 **official, the regional board may not be a direct recipient of funds**
 30 **for services.**

31 **Sec. 4. To ensure the effective operation of the one stop service**
 32 **delivery system, a one stop partner must provide an appropriate**
 33 **level of support for:**

34 (1) the independent staff of the regional board;

35 (2) the administrative functions of the fiscal agent; and

36 (3) the provision of core services through the one stop system;
 37 that is consistent with the federal laws and regulations governing
 38 the one stop partner."

1 Page 7, delete lines 29 through 36, begin a new paragraph and
2 insert:

3 **"Sec. 1. Unless the chief elected official designates a fiscal agent**
4 **under section 2 of this chapter, the chief elected official is the grant**
5 **recipient for the following federal and state funds:**

6 (1) Youth, adult, and dislocated worker services under Title
7 I of the Workforce Investment Act of 1998.

8 (2) Wagner-Peyser Act (29 U.S.C. 49, et seq.) funds to the
9 extent set forth in a memorandum of understanding.

10 (3) Programs authorized under the state unemployment
11 compensation law (IC 22-4) to the extent set forth in a
12 memorandum of understanding.

13 **Sec. 2. (a) The chief elected official may designate a fiscal agent**
14 **to distribute funds according to the budget established by the**
15 **regional board and the chief elected official.**

16 (b) Notwithstanding the designation of a fiscal agent under
17 subsection (a), the chief elected official retains liability for the
18 funds distributed by the fiscal agent."

19 Page 8, between lines 25 and 26, begin a new paragraph and insert:

20 **"SECTION 3. [EFFECTIVE UPON PASSAGE] (a) Not later than**
21 **June 30, 1999, the membership of the state human resource**
22 **investment council established under IC 22-4-18.1 must be in**
23 **compliance with the membership composition requirements of**
24 **Section 111 of the Workforce Investment Act of 1998 and**
25 **IC 22-4-18.1-5, as amended by this act.**

26 (b) This SECTION expires July 1, 2000."

27 Renumber all SECTIONS consecutively.

(Reference is to HB 1652 as printed February 17, 1999.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

Senator Harrison, Chairperson